

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THE WILLIAM M. YARBROUGH
FOUNDATION and ZANFEL
LABORATORIES, INC.,

CIVIL ACTION NO. 1:06-CV-0348

Plaintiffs,

DISTRICT JUDGE AVERN COHN

v.

RITE AID CORPORATION,
CADE LABORATORIES, LLC and
CADEY O'LEARY,

Defendants.

/

**ORDER GRANTING STIPULATED MOTION FOR
DISMISSAL WITH PREJUDICE
OF DEFENDANT RITE AID CORPORATION ONLY**

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims asserted between plaintiffs, The William M. Yarbrough Foundation and Zanfel Laboratories, INC., and defendant Rite Aid Corporation in this case, and the Court being of the opinion that said motion should be GRANTED,

IT IS HEREBY ORDERED that all claims or causes of action asserted in this suit between Plaintiffs, The William M. Yarbrough Foundation and Zanfel Laboratories, INC., and Defendant Rite Aid Corporation are hereby dismissed with prejudice to the right of the parties to assert in the future any such claims.

IT IS FURTHER ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

SO ORDERED.

Dated: May 14, 2008

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, May 14, 2008, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160